

OPINION AND DECREE

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| ROBERTA V. BAUMGARDNER, | " | NO. 14,253 EQUITY. |
| VS. | " | IN THE CIRCUIT COURT |
| | " | FOR FREDERICK COUNTY, |
| MARJORIE DAVIDGE MANNIX, | " | SITTING IN EQUITY. |
| INDIVIDUALLY AND AS EX- | " | |
| ECUTRIX OF THE LAST WILL | " | |
| AND TESTAMENT OF ROBERT | " | |
| HAROLD DAVIDGE, DECEASED | " | |

OPINION

In this suit for specific performance of an agreement with Robert Harold Davidge, deceased, Roberta V. Baumgardner, complainant, alleges: (1) that Davidge died on June 7, 1940, leaving a will dated October 28, 1929, and probated in the Orphans' Court of Frederick County, appointing Marjorie Davidge Mannix executrix; (2) that Davidge frequently became so intoxicated that he was unable to care for himself, and after his wife's death in 1923 he urged the complainant to move to his house at 149 West Patrick Street in Frederick, Maryland, and promised that he would rent her a portion of the house for \$20 per month, and if she would provide the meals at her expense, take care of the house, do his washing and mending, assist him in his typewriter business, nurse him when ill, and render such care and attention as he required whenever he became intoxicated during the remainder of his life, he would give her all his property except some small remembrances to his family; (3) that she and her husband,